

Quarantine Administrative Penalty Matrix

| <u>Statutory Citation^{1,2}</u> | <u>Violation³</u> | <u>First Offense</u> | <u>Subsequent Offense⁴</u> |
|--|---|--|---|
| §71.005 §71.050 §71.051 §71.152 §71.009 §71.0091 §71.0092 §72.015 §73.005 §73.006 | 4 TAC Ch. 19 4 TAC Ch.21 §71.053 Illegal possession or movement of Quarantined articles. | Base penalty of -\$500 plus \$250 per increment of 10 articles; OR base penalty of \$500 per 1000 lbs or portion thereof, -whichever may result in the higher penalty. | Base penalty of \$2,000 plus \$1,000 per increment of 10 articles; OR base penalty of \$500 per 1000 lbs or portion thereof, whichever may result in the higher penalty |
| §71.005 Subch. L §71.050 §71.051 §71.053 §71.009 §71.0092 §73.005 §73.006 | 4 TAC Ch. 19 Illegal possession or movement of Pecan Weevil (quarantined pest). All hickory, pecan and walnut in shell pecan nuts. | Base penalty of \$500 per 1,000 lbs plus \$250 per increment of 1,000 lbs or portion thereof. | Base penalty of \$2,000 per 1,000 lbs plus \$1,000 per increment of 1,000 lbs or portion thereof. |
| §71.005 Subch. L §71.050 §71.051 §71.053 §71.009 §71.0092 §73.005 §73.006 | 4 TAC Ch. 19 Illegal possession or movement of Pecan Weevil (quarantined pest). All hickory, pecan and walnut trees and parts thereof. | Base penalty of \$500 plus \$250 per increment of 10 articles. | Base penalty of \$2,000 plus \$1,000 per increment of 10 articles. |
| §71.009 §71.0091 §71.0092 §71.152 §71.110 §72.015 §73.005 §73.006 | 4 TAC Ch. 19 4 TAC Ch.21 Presence of a quarantined pest or disease associated with the illegal movement of articles. | \$1,000 | \$5,000 |
| §71.009 §71.0091 §71.0092 §71.110 | 4 TAC Ch. 19 4 TAC Ch.21 Failure to comply with a seizure or department order. | \$2,500 | \$5,000 |
| §71.005 §71.113 §72.015 | 4 TAC §19.2 4 TAC §19.7 Failure to perform according to the terms of a compliance agreement or certificate | \$2,500 ⁵ | \$5,000 ⁵ |
| §71.044 §71.050 §71.051 §72.015 §73.006 | 4 TAC §19.2 4 TAC §19.7 4 TAC §21. 10 Falsification of a document or using an invalid certificate. | \$2,500 | \$5,000 |

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| §71.115 §73.006 | 4 TAC §19.6 4 TAC §21.9 | Failure to comply with labeling requirements. | Base penalty of \$500 plus \$250 per increment of 10 articles. | Base penalty of \$2,000 plus \$1,000 per increment of 10 articles. |
| | 4 TAC §21.10 | Failure to maintain required documentation. | \$500 | \$2,000 |
| §71.044 §21.10§73.006 | 4 TAC | Failure to provide documentation. | \$2,500 | \$5,000 |
| §71.044 §71.053 | 4 TAC §19.2 | Refusal of an inspection. | \$2,500 | \$5,000 |
| §72.025 Subch. V | 4 TAC Ch. 19 | Failure to maintain premises in quarantined areas in sanitary conditions. | Base penalty of \$2,500 plus \$250 per acre. | \$5,000 |
| Miscellaneous | | Any other violation not covered in this list, as outlined in Chapter 71, 72, or 73 of the Texas Agriculture Code, or in Chapter 19, or Chapter 21, Subchapter A of the Texas Administrative Code. | \$50- \$5,000 | \$50- \$5,000 |